

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DISMISSAL OF COMPLAINT

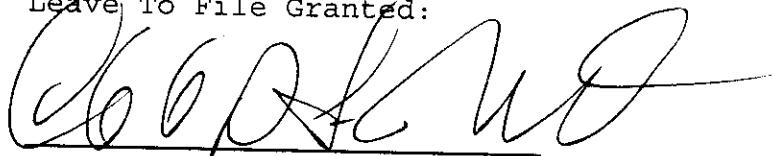
The United States of America, by and through its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby dismisses the above-captioned complaint charging RAPHAEL HERNANDEZ with a violation of Title 18, United States Code, Section 1073 (Unlawful Flight to Avoid Prosecution). As grounds for the instant dismissal, the undersigned states that on July 7, 1995, Defendant RAPHAEL HERNANDEZ was arrested on an outstanding warrant. Massachusetts State Court records, namely East Boston District Court, and the defendant's Massachusetts Criminal History Record, both indicate that on September 8, 1995, Defendant RAPHAEL HERNANDEZ appeared in East Boston District Court and was found guilty of escape from a penal institution and sentenced to six (6) months in the House of Corrections.

Respectfully submitted,

Dated: 3/2/05

/s/Michael J. Sullivan
MICHAEL J. SULLIVAN
United States Attorney

Leave To File Granted:



CHARLES B. SWARTWOOD III
U.S. Magistrate Judge

Date: 3-4-05